

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 020431.0751

In re Application of:

MANOEL TENORIO

Serial No. 09/745,374

Filed: 22 DECEMBER 2000

For: **SYSTEM AND METHOD FOR
MIGRATING DATA IN AN
ELECTRONIC COMMERCE
SYSTEM**

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Examiner:

KAMBIZ ABDI

Art Unit: 3621

Confirmation No.: 8825

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

An Interview Summary Form in the subject Application was mailed to the undersigned on 13 June 2007, which provides for a response period ending 13 July 2007. This Statement of the Substance of the Interview is being filed prior to the ending of the response period 13 July 2007.

REMARKS:

A complete listing of the claims in the subject Application is set forth below, including the agreed upon Examiner's Amendment, during the telephone interview on 25 May 2007, between the undersigned, Steven J. Laureanti and Examiner Kambiz Abdi:

1. **(Currently Amended)** A method for migrating product data within an electronic commerce system, comprising:

monitoring requests for product data by users of a global content directory, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generating a request history for each of the users based on a prediction from the request history, ~~that the user may request the product data again~~, the request history comprises the number of requests by each of the users that result in the user accessing a particular seller database;

identifying the location of a particular user;

determining, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller ~~database~~; database, the determination is based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

if it is ~~determined that the product data should be migrated~~, initiating the migration of some or all of the product data requested by the particular user from the seller database to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database.

2. **(Original)** The method of Claim 1, wherein a request for product data by a user comprises a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user.

3. **(Canceled)**

4. **(Previously Presented)** The method of Claim 1, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with a particular product.

5. **(Previously Presented)** The method of Claim 1, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with each of a plurality of products included in a product class.

6. **(Previously Presented)** The method of Claim 1, further comprising:
determining that the product data should no longer be stored at the storage location determined for the particular user; and
allowing the product data to be deleted or overwritten with other product data at the storage location determined for the particular user.

7. **(Previously Presented)** The method of Claim 6, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the particular user has not requested the product data for a specified period of time.

8. **(Previously Presented)** The method of Claim 6, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the storage location determined for the particular user is needed for migration and storage of product data for a second user.

9. **(Previously Presented)** The method of Claim 1, wherein the migrated product data is stored for access by each of a subset of the users and the method comprises:

identifying the location of each of the users in the subset of users; and

determining the storage location for the product data based on the identified locations of each of the subset of users.

10. **(Original)** The method of Claim 9, wherein the location of each of the subset of users is weighted in the determination of the storage location based on the relative frequency with which each of the subset of users requests the product data.

11. **(Original)** The method of Claim 1, wherein determining that product data should be migrated comprises determining that product data from a plurality of seller databases should be migrated to the same storage location.

12. **(Original)** The method of Claim 11, further comprising merging the data from the plurality of seller databases into a single database at the storage location.

13. **(Previously Presented)** The method of Claim 1, wherein the product data is migrated to a computer associated with the particular user of the global content directory.

14. **(Original)** The method of Claim 13, wherein the product data is stored inside a firewall of the computer.

15. **(Previously Presented)** The method of Claim 1, wherein initiating the migration of the product data comprises instructing the seller database to copy the product data for caching at the storage location determined for the particular user.

16. **(Previously Presented)** The method of Claim 15, further comprising instructing the seller database to create a pointer to the storage location determined for the particular user and to update the migrated product data using the pointer when the product data is updated in the seller database.

17. **(Currently Amended)** Software for migrating product data within an electronic commerce system, the software embodied in a computer-readable medium and operable to:

monitor requests for product data by users of a global content directory, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generate a request history for each of the users based on the monitoring of the requests for product data by the users;

identify the location of a particular user;

determine, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database; database, the determination is based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

~~if it is determined that the product data should be migrated,~~ initiate the migration of some or all of the product data requested by the particular user from the seller database to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database.

18. **(Original)** The software of Claim 17, wherein a request for product data by a user comprises a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user.

19. **(Canceled)**

20. **(Previously Presented)** The software of Claim 17, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with a particular product.

21. **(Previously Presented)** The software of Claim 17, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with each of a plurality of products included in a product class.

22. **(Previously Presented)** The software of Claim 17, further operable to:
determine that the product data should no longer be stored at the storage location determined for the particular user; and
allowing the product data to be deleted or overwritten with other product data at the storage location determined for the particular user.

23. **(Previously Presented)** The software of Claim 22, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the particular user has not requested the associated product for a selected period of time.

24. **(Previously Presented)** The software of Claim 22, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the storage location determined for the particular user is needed for migration and storage of product data for a second user.

25. **(Previously Presented)** The software of Claim 17, wherein the migrated product data is stored for access by each of a subset of the users and the software is operable to:

identify the location of each of the users in the subset of users; and

determine the storage location for the product data based on the identified locations of each of the subset of users.

26. **(Original)** The software of Claim 25, wherein the location of each of the subset of users is weighted in the determination of the storage location based on the relative frequency with which each of the subset of users requests the product data.

27. **(Original)** The software of Claim 17, wherein determining that product data should be migrated comprises determining that product data from a plurality of seller databases should be migrated to the same storage location.

28. **(Original)** The software of Claim 27, further operable to merge the data from the plurality of seller databases into a single database at the storage location.

29. **(Previously Presented)** The software of Claim 17, wherein the product data is migrated to a computer associated with the particular user of the global content directory.

30. **(Original)** The software of Claim 29, wherein the product data is stored inside a firewall of the computer.

31. **(Previously Presented)** The software of Claim 17, wherein initiating the migration of the product data comprises instructing the seller database to copy the product data for caching at the storage location determined for the particular user.

32. **(Previously Presented)** The software of Claim 31, further operable to instruct the seller database to create a pointer to the storage location determined for the particular user and to update the migrated product data using the pointer when the product data is updated in the seller database.

33. **(Currently Amended)** A method for migrating product data in an electronic commerce system, comprising:

monitoring requests for product data by users of a global content directory, the requests each comprising a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generating a request history for each of the users based on the monitoring of the requests for product data by the users;

identifying the location of a particular user;

determining, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

~~if it is determined that the product data should be migrated,~~ instructing the seller database to:

copy some or all of the product data requested by the particular user for caching at the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

create a pointer to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

update the migrated product data using the pointer when the product data is updated in the seller database.

34. **(Currently Amended)** Software for migrating product data within an electronic commerce system, the software embodied in a computer-readable medium and operable to:

monitor requests for product data by users of a global content directory, the requests each comprising a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generate a request history for each of the users based on the monitoring of the requests for product data by the users;

identify the location of a particular user;

determine, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

~~if it is determined that the product data should be migrated,~~ instruct the seller database to:

copy some or all of the product data requested by the particular user for caching at the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

create a pointer to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

update the migrated product data using the pointer when the product data is updated in the seller database.

REMARKS:

An Interview Summary Form in the subject Application was mailed to the undersigned along with a Notice of Allowance on 13 June 2007. The Interview Summary form was mailed in response to a telephonic interview, conducted on 25 May 2007, between the undersigned, Steven J. Laureanti and Examiner Kambiz Abdi.

The Interview Summary Form indicates that the substance of the telephonic interviews must be included in the formal written reply to the last Office Action. (See MPEP Section 713.04). The Interview Summary Form further indicates that if a reply to the last Office Action has already been filed, Applicant is given one month from this interview date, or the mailing date of this Interview Summary Forms, whichever is later, to file a Statement of the Substance of the Interview.

In response, the Applicant is respectfully submitting this statement of the substance of the telephonic interview, conducted on 25 May 2007, between the undersigned, Mr. Laureanti and Examiner Abdi.

Telephonic Interview 25 May 2007

Examiner Abdi telephoned the undersigned, Mr. Laureanti, on 25 May 2007 to conduct a telephone interview on the subject Application. During the telephone interview on 25 May 2007, Examiner Abdi indicated that Claims 1-34 would be allowable if amended. Examiner Abdi suggested using an Examiner's Amendment to amend the claims.

The Applicant respectfully submits that although the Applicant believes independent Claims 1-34 are directed to patentable subject matter, and in condition for allowance without amendment. The Applicant agreed to allow the Examiner to amend independent Claims 1, 17, 33, and 34, in an effort to expedite prosecution of this Application and to more particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

By making these amendments, the Applicant makes no admission concerning the merits of the Examiner's rejections or objections, and respectfully reserves the right to address any statement or averment of the Examiner not specifically addressed. Particularly, the Applicant reserves the right to pursue broader claims in this Application or through a continuation patent application. No new matter has been added by the Examiner's amendment.

Applicant's Claims are Patentable over the Prior Art of Record

For at least the reasons set forth herein, the Applicant respectfully submits that Claims 1, 2, 4-18, and 20-34 are considered patentably distinguishable over the prior art of record and in particular the *Chipman*, *Hokanson*, and *Zhao* reference. The Applicant further respectfully submits that Claims 1, 2, 4-18, and 20-34 are in condition for allowance, as acknowledged by the Examiner in the Notice of Allowance mailed 13 June 2007.

The Applicant thanks the Examiner for proposing the Examiner's Amendment and the Notice of Allowance mailed on 13 June 2007. The Applicant is submitting this Statement of the Substance of the Interview prior to the ending of the response period of 13 July 2007.

Subsequent Telephonic Interview 2 July 2007

The undersigned, telephoned Examiner Abdi on 2 July 2007, to discuss various typographical errors in the Examiner's Amendment included in the Notice of Allowance mailed 13 June 2007. Examiner Abdi acknowledged that the word processor used to generate the Examiner's Amendment failed to properly provide a strike through in amended independent Claims 1, 17, 33, and 34.

Examiner Abdi stated that he will mail an amended Examiner's Amendment to correct the various typographical errors, based on the telephonic interview, conducted on 25 May 2007, between the undersigned, Mr. Laureanti and Examiner Abdi.

In addition, a complete listing of the claims is set forth above, including the agreed upon Examiner's Amendment, during the telephone interview on 25 May 2007, between the undersigned, Mr. Laureanti and Examiner Abdi.

CONCLUSION:

Although the Applicant believes no fees are deemed to be necessary; the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this Response to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

12 July 2007
Date

/Steven J. Laureanti/signed
Steven J. Laureanti, Registration No. 50,274

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